

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION

L. JOE PITTS, as Administrator of	)	
the	)	
Estate of SANDRA ANN SPENCE	)	
PITTS, Deceased,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
BRIDGESTONE AMERICAS	)	CIVIL ACTION NO.:
HOLDINGS, INC.;	)	2:06cv1008-MEF
BRIDGESTONE FIRESTONE	)	
NORTH AMERICAN TIRE, LLC,	)	
and BFS RETAIL AND	)	
COMMERCIAL OPERATIONS,	)	
LLC,	)	
doing business as Firestone Tire &	)	
Service Centers,	)	
	)	
Defendants.	)	

**MOTION TO PRESERVE EVIDENCE**

COME NOW Defendants, Bridgestone Americas Holding, Inc.,  
Bridgestone Firestone North American Tire, LLC, and BFS Retail &  
Commercial Operations, LLC (collectively referred to as “Firestone”), and  
move the Court to enter a protective order to preserve the evidence in this  
case on the following grounds:

1. Plaintiff's claims as to Firestone in this action, in substance, relate to an alleged improper repair to a tire on a 2001 Chevrolet Blazer, VIN # 1GNCS18W81K256499. The subject tire was allegedly repaired by Firestone. The accident in question allegedly occurred on June 19, 2006, on Interstate 65.

2. Firestone avers that the vehicle and all of the tires on the vehicle at the time of the accident, including the rims, and any associated tire components or pieces thereof (collectively the "Subject Tires"), should be preserved until this litigation is concluded. Irreversible prejudice could result if the vehicle and Subject Tires are sold, materially altered, subjected to destructive testing, or disposed of prior to the conclusion of this litigation (including any appeals).

WHEREFORE, PREMISES CONSIDERED, Firestone moves this Court to enter an Order prohibiting the parties, the parties' representatives, attorneys, agents, witnesses, expert witnesses, or any other person or party from disposing of, selling, repairing, materially altering or changing or conducting destructive testing on the vehicle or Subject Tires made the basis of this suit or any parts, portions, or pieces thereof.

A proposed order granting this motion is attached for the Court's consideration.

Respectfully submitted,

s/ Hope T. Cannon

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Hope T. Cannon

Bar No.: ASB-5898-T55H

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CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

None

Respectfully submitted,

s/ Hope T. Cannon

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COMMERCIAL OPERATIONS,	)	
LLC,	)	
doing business as Firestone Tire &	)	
Service Centers,	)	
	)	
Defendants.	)	

**PROTECTIVE ORDER TO PRESERVE EVIDENCE**

It is ORDERED that the parties, the parties' representatives, attorneys, agents, witnesses, expert witnesses and any other person or party are hereby prohibited from disposing of, selling, materially altering or changing, or conducting destructive testing on the vehicle or the tires, rims, hubs, and valve stems that were on the vehicle at the time of the accident made the

basis of this suit and any component parts and any remnants, portions or pieces thereof.

DONE and ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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UNITED STATES DISTRICT JUDGE